STRONG GROUND TAKEN BY PIUS

Text of the Pope's Encyclical to Archbishops and Bishops of Church in France.

ORGANIZATION IS URGED

PONTIFF PLEDGES HIMSELF TO

Rome. Aug. 14.-The text of the pope's long expected encyclical to the archishops and bishops of France concernseparation of church and state, apeared in the Osservatore Romano today. It refers to the previous encyclical condemning the general principles of the law, and says the time has now national arrived to indicate when the previous encycliarrived to indicate what should be done to defend, and preserve religion in

"We deferred," the encyclical continues, "our decision owing to the importance of this grave question and particularly through a charitable feeling for the great services your nation has rendered to the church. Having here-tofore condemned this iniquitous law we examined with the greatest care its articles to see if they permitted the organization of religious life in France without jeopardizing the sacred princi-ples of the church."

Would Violate Sacred Rights. After approving the recommendations of the French hierarchy disapproving fair.

of the law, the encyclical says: Therefore, concerning cultural associations such as the law prescribes, we formed without a violation of the sa-

nenacing the church in France, and therefore he hopes to find some other kind of associations not endangering divine rights.

Useless to Try

"But as this hope fails us," he continues, "and the law remains as it is, we declare it is not permissible to try other kinds of associations so long as they do not establish in the most legal and most positive way that the divine constitution of the church, the immuta-ble rights of the Roman pontiff and the bishops and their authority over the temporal affairs of the church, particularly the sacred edifices, will be irrevocably protected by such associa-We cannot wish otherwise without betraying our sacred charge and producing the ruin of the church in

The document urges the bishops to adopt all means within the law to organize their forces, assuring them of the papal co-operation and support.

False Insinuations.

it is not difficult, the encyclical says, "to foresee the recriminations which the enemies of the church will make against our present decree. They will seek to persuade the people that we do not seek the salvation of the church, but that the form of the republic in France is odious to us. We denounce with indignation such insinuations as false. The makers of this law have not sought separation, but oppression. While affirming their desire for peace, they have made atrocious war against religion. They, however, show a brand of the most violent discord, to the great detriment of public welfare. We have supported patiently injustice after injustice through love of the French nation and are finally asked to overstep the last limits of our apostolic duty, and we declare our inability to overstep them. Let the responsibility rest with those whose hatred has gone to such extremes."

Counsels Against Sedition.

The pope counsels against seditious or violent action, and says firmness will give better results than violence. United action, he said, can be learned from those who have imposed the stigma of this criminal law on the nation.

In conclusion the encyclical says:
"In the hour of hard trial for France if all unite in defending the supreme interests of the country the salvation of the church is far from desperate. On the contrary, it is to be hoped that her dignity will be raised to its former presperous height." The document was signed Aug. 1.

BEGINNING OF STRIFE.

Little Hope That the French Law

Will Be Modified.

Paris, Aug. 14.—The pope's encyclical to the archbishops and bishops of France prescribing their attitude with regard to the church and state law attracts wide-spread attention here, and its probable effects are the subject of animated discussion. A pontifical messenger arrived here this morning bearing the document to Archbishop Richard, who soon afterward gave out the document for publication. The entourage of the archbishop summarized their views in the following words:

"The pope has spoken, and we bow with submission and joy to his instructions."

Received With Regret.

Received With Regret.

While this reflects the general attitude of the hierarchy, yet a considerable element among the clergy receives the decision by the pontiff with disappointment and regret, as being likely to begin an area of religious strife. The decision causes serious confusion with regard to

There's Comfort Grape-Nuts

"THERE'S A REASON."

the law. This sensible and clear-minded nation, desirous of peace before every thing, never will admit the decision to be the fruit of truly Christian or logical and sensible inspiration."

LeCroix, representing the Clericals,

"The pope's wish will be realized. Catholics are about to unite in obedience under the direction of the bishops. Despite possible trials the church will emerge finally victorious."

JUDGES FORCED INTO POLITICS

Continued from Page 1.

that you replied that the meeting would be somewhat private and se-clusive and in no sen e a public af-I answered him that that alone was the strongest possible reason that could be urged why I should not atfor so long as I am a member decree absolutely that they cannot be of the supreme court whatever I have to do or say with respect to matters

formed without a violation of the sacred rites which are the life itself of the church. Putting, therefore, aside these associations which our conscience forbids us to approve, it is opportune to examine if some other kind of organization, both legal and canonical, can avert the threatened dangers to the church."

The encyclical then examines at length the other forms of organization. The pope says nothing causes him greater agony than the eventualities menacing the church in France, and

Judiciary in Republican Politics.

Now, senator, these are only a few of the many incidents that can be cited wherein you urged members of the juthe many incidents that can be cited wherein you urged members of the judiciary to take an active part in party politics. And no man in this state has been more ardent or irrepressible in his demands that the judiciary become active party workers than yourself. Neither is there any man in the state who has received so much benefit from the work done by the members of the judiciary as you have received. Now, I do not wish to be understood as even intimating that I have any regrets whatever for what I have done for you and in your behalf in the past. Under the same or similar circumstances I would, in all probability, do the same for any other political associate who occupied the same high standing in my estimation that you did. My position is this: That you, having been the recipient and beneficiary of much of what you term my activity in politics in this state, are estopped from been the recipient and beneficiary of much of what you term my activity in politics in this state, are estopped from now criticising, much less denouncing me for what I have done along this line. The fact is, it is not any pernicious activity on my part in party politics that has aroused your ire, as well as that of other members of the machine, but my refusal to act at all in some matters and an obstinate determination on my part to be guided and controlled by my own judgment in others, instead of blindly following the dictates of the machine. Personally, I am in favor of members of the judiciary having as little to do as they consistently can with party politics, but it seems, under the present regime, that a judge or judicial officer, or, for that matter, any other person who claims to be a Republican, who fails to comply with every demand made upon him by the machine, is not only marked for defeat should he ever again aspire for political honors or preferment, but he is, if possible, to be read out of the Republican party. Of course, I realize that my own fate politically, or that of any other individual or number of individuals, is of but little or no importance to the public, only so far as it may involve a principle; but whenever the machine marks any man for defeat because of his manhood and independence, and is permitted to succeed in its metarious work, then the fate of the individual becomes in some respects a matter of public concern.

Why He Endorsed Thomas.

Why He Endorsed Thomas.

You seem to reap great satisfaction by the publication of a letter that I wrote endorsing Governor Thomas for reappoint-

the practical carrying on of the churches. The new law lays down specific provisions concerning the organization of church as sociations, but the nope's decision appears to make it impossible for the clergy to children to the law. At the archivishopric that the new concerning the means the literaction of churches. It is understood that the encyclical was accompanied by instructions concerning the means the literactey should adopt. The tew generally prevails that the vatican seeks to crowne a situation compelling the governor should be displaced was that he is a Gentile, and the only reason that could be urged why the governor should be displaced was that he is a Gentile, and the only reason that the control of the second of the control of the state. However, there is no indication of the government's willness to move in that direction. The government of the government's willness to move in that direction. The government is unable to the control of the government's willness to make the post in the control of the government's willness trongly disapprove of the control of the government's willness trongly disapprove of the control of the government's willness trongly disapprove of the control of the government's willness trongly disapprove of the control of the government's willness trongly disapprove of the control of the government's willness trongly disapprove of the control of the government's will be acceptable both to the church and the decision of the federal offices between the Gentless and the members of the Mormon thurch and that this office, according to that division, should go to a Gentile.

Will Not Change the Law.

"The resolution to afflict all friends of the working to the control of the government of liberal minded and the control of the government of the gover

"Evasive and Childish."

Your explanation of your connection with the coal company is both evasive and childish, because it is a matter of public knowledge that the firm of which you were the senior menaber was the regularly retained counsel for this corporation and it was but recently announced in the daily press of this city that because of the relation of attorney and client which existed between your firm and the coal company that you withdrew from and severed your relations with the firm.

You say that it would seem that my aim all along has been to place you in an unpleasant light before the public. Such has not been my intention. What I have done is to prevent you and those who speak for you, including the machine organ, from placing me in an unpleasant and wrong light before the public. For two years your whispering brigade has been at work trqing to inculcate the virus of religious prejudice in the minds of the people of this state against me, and I have had nothing to say and would have continued to remain silent had they not gone to the extent of attacking my private character and, as I have heretofore said, my integrity as a judicial officer.

I deprecate as much as you or any other man the fact that the conditions which obtain here are such that members of the judiciary have been brought into active politics. It is not their choice that they relieve the politics in the minds of the judiciary have been brought into active politics. It is not their choice that they relieve the politics to the extent of endorsing this or that man for office or going with candidates for congress and the United States senate on their campaigns through the different counties of this state, but because those who are in living the machine or for the machine or form the proposed by the pr United States senate on their campaigns through the different counties of this state, but because those who are in charge of the respective political organizations demand it and many of the rank and file of the different political organ-izations expect it; and because of the custom that has thus grown up the mem-bers of the judiciary are subject to con-tinuous interruptions, which, at times, beome very annoying, to say nothing of the tendency which it has to invite adverse criticism, which, of course, ought to be avoided as far as it is possible to be

Question of Loyalty Involved. I do not wish to be understood, however -1 do not wish to be understood, however, that I have any apology to make for having endorsed Captain Hobbs to succeed himself as register of the United States land office. When it was proposed to humiliate the old war veteran by placing him in an office of less dignitiy and responsibility than the one held by him and which, it was expected at the time, would soon be legislated out of existence, every Republican in this state had a right every Republican in this state had a right to protest against the proposed outrage.

And, senator, speaking for myself, I not only had the right to question the Republicanism of those who inaugurated the move, but I had a right to challenge

ner Burgerbrau," Heidelberg, now on German delicacies our specialty. Karl H. Mayer.

Capital Perfecto, pest 2 for 250

Nearly 1,500 Delegates Present at the Opening Session at Milwaukee.

REPORT OF THE SECRETARY

EXCITING CONTEST OVER THE OFFICES.

Milwaukee, Aug. 14.—The eighth annual convention of the Grand Aerie of Fraternal Order of Eagles opened in Pabst theater today, the delegation numbering

The opening session was devoted to addresses of welcome and responses. There promises to be an exciting contest for the various offices. For grand worthy presi-

Grand Aerie Session.

The first session of the grand aerie meeting was called to order by Grand Worthy President Henry D. Davis this afternoon, with Past Grand Presidents John Considine of New York, H. H. Thompson of Seattle, Edward P. Edson of Seattle, Del Cary Smith of Spokane, T. D. Sullivan of New York and John F. Pelletier of Kansas City seated on the stage.

The report of Grand Secretary A. E. Partridge shows that the order since June, 1905, has added 362 aeries, lost 20 and now has 1,364 in good standing. The membership has shown a net gain of 42,368 in this period and now numbers 232,671.

During the same period the receipts of local aeries amounted to \$2,985,212 and their dishurances and their dishurances and the second standing the same period the receipts of local aeries amounted to \$2,985,212 and local aeries amounted to \$2,85,212 and their disbursements to \$2,86,416, of which \$592,000 was paid out for relief. The assets of the various local aeries June 1, 1906, were valued at \$862,830.61.

ACCUSED WAS CARELESS.

After the appointment of committees a recess was taken until tomorrow after-

Trial of Clarence B. Zachary at Portland, Ore., for Ferjury.

Portland, Ore., for Ferjury.

Portland, Ore., Aug. 14.—The trial commenced today in the United States district court of Clarence B. Zachary. a prominent resident of Wheeler county, Oregon, charged with perjury in declaring that Charles A. Watson, now under conviction of defrauding the government of a homestead, had complied with all the requirements of law in perfecting title to his homestead in Wheeler county. The case is identical with that against Coe D. Barnard, who was convicted last week. The two men were indicted jointly, but their cases were separated when they came to trial.

At the morning session a jury was secured and two witnesses examined. Judge Bennett, counsel for the defendant, did not examine any of the talesmen, though he excused two of them peremptorily. He also entered a general objection to the trial of his client on constitutional grounds and contented himself with cross-examinative only one of the witnesses.

and contented himself with cross-examining only one of the witnesses. When Witness M. S., Nolan was on the stand Judge Bennett endeavored to justify Zachary's action in swearing that he thought Watson was a bona fide homesteader, that Watson had visited his homestead once in six months; Judge Bennett contending that general impression in the community was that this was sufficient. nd contented himself with cross-exam!

In Self Defense

Major Hamm, editor and manager of the Constitutionalist, Eminence, Ky., when he was flercely attacked four years ago by Piles, bought a box of Bucklen's Arnica Salve, of which he says: "It cured me in ten days, and no trouble since." Quickest healer of Burns, Sores, Cuts and Wounds. 25c at Z. C. M. I. Drug Department.

Alt Heidelberg du Feine.

place for genuine German Beers and Wines. Imported delicacies a specialty. Heidelberg annex for ladies. KARL H. MAYER, Prop.

BEGINNING OF LITIGATION

First of the Insurance Cases Involving the Earthquake Clause Set for Trial.

San Francisco, Aug. 14.-The first of the ance cases involving the earthquake clause was set for trial today by Superior clause was set for trial today by Superior Judge Hebbard. The case is that of the Rosenthal Shoe company against the Williamsburg City Fire Insurance company The attorney for the insurance people asked that the case be not set for trial until opportunity could be given the judges to mutually arrange with the insurance companies for a test case. He said that the insurance companies would demand a jury trial in each case and unless proper arrangements were made for a test case the courts would be occupied for years in hearing insurance litigation.

The attorney for the plaintiff declared

be occupied for years in hearing insurance litigation.

The attorney for the plaintiff declared that there were points in this connection that could not be settled by a test case. The court then asked the insurance attorney if he waived a jury triat and was answered "no." The judge then asked "do you demand a jury trial?" but could not get a direct answer. The attorney for the shoe company then announced that to save time he would formally demand a jury trial. The case was set for Aug. 27.

DIAMOND COAL.

Sold only by Citizen's Coal company. 153 South Main. 'Phone 49.

Guthrie, Okla., Aug. 14.-A special o the State Capital from Marietta, to the State Capital from Marietta,
I. T., says:
The murder of Dr. Graham of
Holder, I. T., whe was shot and
killed about a month ago by Ben
Stewart, was avenged this afternoon
when unknown parties shot the iatter from ambush, killing him instantly. Cal Steward, brother of the
dead man, eluded the assassins by
whipping his horse into a run.

Genuine Carter's Little Liver Pills Must Bear Signature of

SEE FAC-SIMILE WRAPPER BELOW.

Very small and as easy to take as sugar.

Porch Settees,

Old Hickory Chairs,

"Eclat" Hammocks,

All Hot Weather Helps at

20 PER CENT OFF

All Next Week at

H. Dinwoodey Furniture Co.

TWO

PEOPLE

HAPPY-

PAYER AND PAYEE.

We collected \$900.00 for Mrs. Maud

S. Crocker Hawley of Salt Lake

City. We can collect some for you

if you turn them in. WE MAKE

PEOPLE HAPPY. Red streaks of

honesty exist in everybody. Turn

MADE

in your claims.

Merchants' Protective Association,

Scientific Collectors of Bad Debts.

Fifth Floor Commercial National Bank Bldg., Salt Lake City.

Francis G. Luke, General Manager.

"SOME PEOPLE DON'T LIKE US."

CARTER'S FOR HEADACHE. FOR BILIOUSNESS.

FOR TORPID LIVER. FOR CONSTIPATION. FOR SALLOW SKIN. FOR THE COMPLEXION

Price Purely Vegetable.

Trains to Saltair Beach

Returning-Arrive Salt Lake.

"THE LAGOON ROAD."

Salt Lake & Ogden Railway Co.

Time Table in Effect May 30, 1906

First six trains run through Kaysville.

Extra Lagoon to Kaysville, 10 p. m. Sunday 8:30 p. m.)

Lagoon-Leave 7, 10, 12 a. m.; 3, 5, 7, 10:30 p. m. (Sunday, 9:30.)

Sundays and holidays special through trains to Lagoon at 3 and 5 p. m.

SIMON BAMBERGER. President and General Manager

Sunday last train leaves Salt Lake at :00 p. m. *Sunday last train leaves Saltair at 10:00 . m. Depot, First South and Fourth West FARE FOR ROUND TRIP, 25 CENTS J. E. LANGFORD, Lessee.



UTAH'S MOST POPULAR RAILROAD.

CURRENT TIME TABLE.

Depart Daily. Arrive Daily. No. 8 Los Angeles Limited

No. 66 from Nephi and Sanpete FINEST DINING CAR SERVICE IN THE WEST. ONLY DIRECT LINE TO LOS ANGELES. STAGE CONNECTIONS FOR NEVADA MINING CAMPS.

CITY TICKET OFFICE 169 South Main Street. Phones 1986. H. BURTNER, District Passenger Agt



CURRENT TIME TABLE. In Effect June 3, 1906

LEAVE SALT LAKE CITY.

No. 20 for Denver and East..... No. 10 for Heber, Provo and Ma-No. 19 for Ogden

No. 8 for Provo and Eureka.

No. 3 for Ogden and West.

No. 1 for Ogden and West. No. 114 for Bingham ARRIVE SALT LAKE CITY. No. 19 from Denver and East.... 8:99 A. M. No. 12 from Ogden and local

PERFECT DINING CAR SERVICE All trains except Nos. 1, 2, 3, 4, 5, 6, 1; and 20 stop at intermediate points. Ticket office, Dooly block. Phone 20 I. A. BENTON, G. A. P. D.



June 17, 1906.

ARRIVE. No. 4.—From Ogden, Chicago
Omaha, St. Louis, Kansas
City and Denver

No. 14—From Marysville, St.
Anthony, Idaho Falls,
Blackfeet, Pocatello, Ogden and intermediate points
No. 8—From Ogden, Portland,
Butte and San Francisco...
No. 6—From Ogden and intermediate points
No. 12—From Ogden and intermediate points
No. 12—From Ogden, Cache
Valley, Malad. Park City
and intermediate points
No. 18—From Chicago, Omaha,
Ogden and other points
No. 2—From Ogden, Chicago,
St. Louis, Kansas City,
Omaha, Denver and San
Francisco

La 10—From Ogden, Cache Francisco Cache Valley, Butte, Portland and 7:35 p n DEPART.

DEPART.

No. 6-For Ogden, Omaha.
Chicago, Denver, Kansas
City and St. Louis
No. 7-For Ogden. Portland.
Butte, San Francisco and intermediate points
No. 1-For Ogden. Omaha.
Chicago. Denver, Kansas
City, St. Louis and San
Francisco
No. 11-For Ogden. Cache Valley, Malad. Park City and intermediate points
No. 17-For Ogden. Omaha.
Chicago and other points.
No. 17-For Ogden. Omaha.
Chicago and other points.
No. 17-For Ogden. Denver, Kansas City, Omaha, St. Louis and Chicago and other points.
No. 2-For Ogden. Denver, Kansas City, Omaha, St. Louis and Chicago
No. 13-For Ogden. Pocatello, Blackfoot, Idaho
Falls, St. Anthony, Marysville and intermediate points.
No. 9-For Ogden. Ely, Nev.

ville and intermediate points.

No. 9-For Ogden. Ely, Nev.
Butte, Helena, Portland, San
Francisco and intermediace 11:45 pm

points

D. E. BURLEY, G. P. A.
D. S SPENCER, A. G. P. A.
City Ticket Office, 201 Main Street.
Telephone 250.
Note.—The train numbers shown above are Oregon Short Line train numbers and do not apply to the Southern Pacific. west of Ogden or the Union Pacific east thereo? thereo? TELLOWSTONE PARK TRAINS.

IN THE HERALD

Exceptional Values Are Evident.

The great values prevailing in this sale are easily noticeable by even a casual observer. With close scrutiny they appear even greater.

Dress Well for \$7.50

Any Suit of Mixed Pattern, Reduced now to \$7.50.

There are several hundred nice Summer Suits in light and medium weights. To close out, they go at \$7.50. You get them at a mere fraction of their real worth during this sale.

Very splendid 50c values

in Ties going now at 25c.



For Young Men. Get a Good Suit for Very Little Money.

Note these reductions from Gardner regular prices. We have made some much greater reductions on single Suits of a kind but have not room here to describe them.

All Straw Hats Half Price.

The remaining lines of Straw Hats will be closed out at just half of the regular

Wash Pants, 25c

10, 25c. Big reductions on

Several neat patterns in light wash goods, ages 3 to

wash suits.

A Half Dollar Saved. Wilson Bros.' Soft Shirts, \$1.50 values, go in this sale for \$1. Cuffs attached, without collar, Big Value, This. ONE

PRICE

J.P. GARDNER THE QUALITY STORE

IF IT HAPPENS IT'S